

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1777 - HB 2698

February 24, 2022

SUMMARY OF BILL AS AMENDED (013907): Authorizes parties to a civil or criminal proceeding in which paternity is being contested to voluntarily seek a genetic test from an accredited laboratory before a court issues an order for one. Requires a genetic or DNA test result with a statistical probability of paternity of 95 percent or greater in order to be conclusive of that father's paternity in a case involving a voluntary acknowledgment of paternity by an unwed father. Requires the individual named as the father of the child in the voluntary acknowledgment to pay for the cost of the test. Requires a copy of the genetic or DNA test results to be filed with the office of vital records within 180 days of the date the acknowledgment was signed in order to be considered conclusive without further order of the court. Removes the five-year statute of limitations to challenge a voluntary acknowledgement of paternity on the basis of fraud, duress, or material mistake of fact.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions:

- Any expenses resulting from parties voluntarily seeking a genetic test will be borne by those private parties.
- Pursuant to Tenn. Code Ann. § 24-7-112(b)(3), costs of initial tests requested by a state agency are paid by such entities and then recovered from the person established as a parent of the child.
- The proposed legislation is not estimated to result in a significant increase in cases or workload on state or local courts.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director